

A GUIDE TO MULTI-JURISDICTIONAL COMPREHENSIVE PLANNING IN WISCONSIN

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A Guide to Multi-jurisdictional Comprehensive Planning in Wisconsin

I. Introduction

Intergovernmental issues are among the most important issues facing Wisconsin. Issues related to municipal boundaries, transportation, municipal services, economic development and affordable housing cross jurisdictional boundaries and benefit from cooperation and coordination. Unresolved, these issues result in expensive litigation and court battles, ill will among neighbors, more costly or reduced services and lost opportunities. Planning together can save communities money, resolve conflicts, protect natural and agricultural resources, improve the cost and quality of services, attract economic opportunities, address regional problems, identify and act on mutual opportunities, and in general, improve intergovernmental relationships, communication, and coordination.

The Wisconsin Land Council acknowledged these opportunities in formulating the comprehensive planning grant program. In order to encourage communities to plan together and develop a multi-jurisdictional comprehensive plan, the grant program provides incentives, including:

- 1) an increased chance of being awarded a grant;
- 2) an increased level of funding to apply for;
- 3) additional time to develop and adopt a plan.

As more and more Wisconsin communities are planning together, the same questions are frequently asked: What is a multi-jurisdictional plan? What should the plan look like? How should it be organized? What's required?

FACT

Two-thirds of all villages and towns in Wisconsin have populations of less than 1000 persons, including 22 with populations less than 100. Communities of this size may have a difficult time coming up with the resources to do an individual Comprehensive Plan. Multi-jurisdictional planning allows some communities to have a plan that could not otherwise afford to.

Communities may share the costs of planning staff, newsletters, meetings, TV and radio spots, focus groups, citizen surveys, speakers, gathering information and data, purchasing computer equipment, and printing and distributing plan copies.

FACT Multi-jurisdictional planning takes off!

The number of communities involved with multi-jurisdictional comprehensive planning grant efforts has increased steadily.

	Applications	Awards	Communities Involved
2000	1	1	2
2001	19	11	92
2002	29	17	162
2003	25	13	181

For more information about the Comprehensive Planning Grant program, contact OLIS.

II. What is a multi-jurisdictional plan?

The administrative rule that governs Wisconsin's comprehensive planning grant program broadly and generally defines a 'multi-jurisdictional plan' as:

"2 or more local governmental units participating in the development of a single comprehensive plan that covers the jurisdictions of those local governmental units which is adopted separately by each unit under s. 66.1001, Stats. A county comprehensive plan is a multi-jurisdictional plan if the county and 2 or more local governmental units located in the county participate and adopt the plan."¹

The brevity of this definition, along with the flexibility of the Comprehensive Planning Law in general, means that local communities control the specifics of their multi-jurisdictional planning process.

III. What characterizes a multi-jurisdictional planning effort?

Each multi-jurisdictional planning effort will be unique, based on local preferences, politics, history, shared services, existing intergovernmental agreements, geography², jurisdictional authority or area of responsibility, ownership of land³, and the issues and opportunities facing the communities. While communities ultimately decide on the kinds of activities and processes to undertake, all multi-jurisdictional planning efforts will involve at least some level of cooperation and coordination between the participating communities. Below are examples of activities that may be part of your planning effort:

- ☒ Serve together on joint planning committees or work groups. For example, an advisory committee could include representatives from each of the participating communities.
- ☒ Meet regularly to update progress, brainstorm ideas, analyze data, identify and work through conflict or problem areas.
- ☒ Jointly identify important regional issues.
- ☒ Share the time and expertise of municipal staff, such as planners, clerks, attorneys, zoning administrators, cartographers, building inspectors, land records personnel, assessors, public works directors, and police and fire chiefs.
- ☒ Coordinate to collect data and mapping information.

¹ Adm 48.02(10)

² Topography is one example of a geographic factor influencing a planning effort. For example, the topography of one jurisdiction could effect storm water management of another jurisdiction downstream.

³ Do other jurisdictions own land in the area? For example, ownership of land by federal, state governments, or Native American tribes could affect a planning effort and the issues it addresses.

- ☑ Conduct joint educational and outreach activities, such as speakers, meetings, newsletters, posters, TV and radio spots, web sites, etc.
- ☑ Share costs. Because comprehensive planning grants are awarded to all of the communities participating in a multi-jurisdictional planning effort as a collective unit, they will need to decide among themselves how the grants funds will be used, shared, and how the required local match will be met.
- ☑ Jointly develop goals, objectives, policies, programs, and recommendations.
- ☑ Jointly develop intergovernmental agreements to share services and revenue, and resolve existing boundary conflicts.
- ☑ Jointly develop processes to communicate information and ideas, and resolve future conflicts.

If your community is part of a multi-jurisdictional effort that has received a comprehensive planning grant, then your approach to cooperation and coordination will also depend on what you agreed to do in your grant contract with the state.

IV. Who can participate in a multi-jurisdictional planning effort?

Any combination of towns, cities, villages, counties, regional planning commissions (RPC), and Native American tribes may participate in and adopt a multi-jurisdictional plan.⁴ Some possible combinations, and Wisconsin examples are:

- a village and a town
(Village of Twin Lakes/Town of Randall)
- a city and a town
(City of Sparta/Town of Sparta)
- 2 or more villages

TIP

While only towns, cities, villages, counties, RPCs, and tribes may adopt a comprehensive plan, other jurisdictions can and should be included in the planning effort. Examples include:

- State and federal agencies
- Metropolitan Planning Organizations (MPOs)
- School districts
- Sanitary sewer and/or water districts
- Universities or colleges
- Lake management districts
- Storm water management districts
- Transit authorities
- Economic development corporations

Including other jurisdictions helps ensure that the comprehensive plan identifies and addresses all of the important issues. It can also make plan implementation easier by resolving issues before they can become problems. For ideas on how to involve other jurisdictions, see *Intergovernmental Cooperation: A Guide to Preparing the Intergovernmental Cooperation Element of a Local Comprehensive Plan* (2002), available from OLIS.

⁴ Sections 16, 965(1)(a) and 66.1001(1)(b), Wis.Stats. and also Adm 48.02(1)

(Village of Potosi/Village of Tennyson)

- one or more towns and a Native American tribe
(Towns of Bass Lake, Sand Lake, and Edgewater, and the La Courte Oreilles tribe)
- a cluster of area-wide towns, cities, and villages
(Towns of Westport and Springfield, City of Middleton, and Village of Waunakee)
- a county and some, or all of its cities, villages and towns
(Green County, the Towns of Berlin, Green Lake, Kingston, Mackford, Manchester, Marquette, Princeton, St. Marie, and Seneca, and the Cities of Berlin, Green Lake, Markesan, and Princeton).
- An RPC and some or all of its counties

V. How should a multi-jurisdictional plan be organized?

How your plan is organized is up to you. The communities participating in a multi-jurisdictional planning effort will need to decide among themselves the planning process to use, how to divide up work responsibilities, how to involve the public, how information will be shared, how decisions will be made, how conflicts will be resolved, and details such as the title of the plan, its format, layout, length, number of volumes, use of pictures, maps, color, graphics, etc.



Provided below are three different multi-jurisdictional planning approaches. Each is acceptable under the comprehensive planning law and also under the grant program.



Single planning effort, single plan.


One plan is developed as part of a single multi-jurisdictional planning effort and is adopted by each of the participating communities. The plan contains the required minimum nine comprehensive plan elements sufficiently specific to each community adopting the plan in order to comply with the comprehensive planning

A Wisconsin Example

Platteville

The town and city developed and adopted *the Town and City of Platteville Smart Growth Comprehensive Plan* (2002). The plan is contained within a single document and contains information sufficiently specific to each jurisdiction to meet the required nine elements for both communities. The plan emphasizes joint planning, sharing services and equipment, and establishes an annexation procedure and extraterritorial zoning. Goals and objectives were agreed upon for the Platteville area in general, with more specific policies and recommendations being directed to the town to complete alone, the city to complete alone, or both to complete together. The Platteville Joint Planning Commission was created to oversee the planning process and recommend adoption of the plan to the town board and city council.

law. For example, a county and all (or some) of its cities, villages, and towns would develop one plan document that each community adopts as its plan. Depending on the number of jurisdictions participating in a single plan approach, the plan document itself may become quite large.

 **Single planning effort, multiple plan documents.** Because the administrative rule equates both ‘plan’ and ‘planning effort’ with a comprehensive plan⁵, a multi-jurisdictional plan is not limited to a single plan document. It could also include multiple documents developed as part of a single planning effort. Using this approach, multiple plan documents or components could be developed that when taken together, contain the required nine elements so that each community adopting the various plan documents has a comprehensive plan. Examples of this approach include:

- separate plan components that together comprise a comprehensive plan. For example, as part of a multi-jurisdictional planning effort a cluster of towns, cities, and villages could each develop and adopt an individual municipal component as well as a regional component. The regional component could include area-wide issues common to the cluster of municipalities as a whole.
- a county component that contains the bulk of the 9 elements for the county and all participating municipalities, and a municipal component that contains an individualized land use map, unresolved issues with neighbors, and issues that are particularly important to the municipality which it addresses in more detail. For example, a town with mineral resources might want to plan for mining issues.

A Wisconsin Example

Lincoln County

The *Lincoln County Comprehensive Plan* (2000) is a multi-jurisdictional plan that includes Lincoln County and 14 of its 16 towns. The plan consists of three components:


- Volume I: Inventory & Analysis - summarizes and analyzes existing conditions and trends and describes the public participation that occurred.
- Volume II: Plan Recommendations - contains recommendations, and strategies for achieving these. Also includes a county land use plan - which is a patchwork of the town land use plan maps - along with town vision statements, goals, objectives, and key recommendations.
- 14 Town Land Use Plans - with the county's assistance, each town prepared its own land use plan component that includes a town-prepared vision statement, goals & objectives, maps of existing and planned land use, and implementation strategies.

The county has adopted both Volumes I and II as its comprehensive plan, and the towns have each adopted the town land use plan specific to them. The towns understand that by 2010, if they wish to regulate land use, they will need to also adopt Volumes I and II, or upgrade their town land use plans to meet the 9 comprehensive plan elements.

It is important for a

⁵ Adm 48.02(11)

community using this approach to adopt all of the plan documents or components that the community needs to meet the required nine elements.

 **Single planning effort, multiple plans.** Multiple plans are developed as part of a single multi-jurisdictional planning effort. Each plan that is developed is a comprehensive plan in itself, containing the nine required elements, but is intrinsically connected to all of the other plans that result from the effort. Using a county as an example of this approach, a multi-jurisdictional planning effort could result in:

- individual comprehensive plans that are developed for, and adopted by, each participating town, city, and village, with the county ultimately adopting all of these plans together as its comprehensive plan.
- individual comprehensive plans developed for, and adopted by, each participating town, city, and village, with the county also adopting an individual county comprehensive plan. The county plan could address more general county-level issues while the municipal plans could be more specific. The county could develop its plan first, followed by the municipalities, or municipalities could go first with the county following, or the county and municipal plans could be developed simultaneously.

A Wisconsin Example

Portage County

Portage County is currently engaged in a multi-jurisdictional comprehensive planning effort with most of its municipalities, including the City of Stevens Point. The effort has been awarded a \$504,000 Comprehensive Planning grant, with the required local match being split between Portage County and its municipalities. Urban and rural planning committees have been established, with representation from all participating municipalities. These committees, with staff assistance from the county, are responsible for reaching consensus on a county vision, analyzing information, drafting plan documents, identifying and working through conflicts, and coordinating between communities. Good intergovernmental coordination will be one of the benefits of this planning effort, particularly given the participation of most of Portage County's municipalities. The final products will be:

- a county plan for rural villages and towns;
- an urban area plan that includes the City of Stevens Point, Villages of Plover, Whiting, Park Ridge, and portions of adjacent towns;
- municipal plans specific to each community.

The county plan will be based on the municipal plans and will include the urban area plan. Each plan, including the county plan and urban area plan, will be a comprehensive plan that contains the 9 elements. Plan participants will each adopt their municipal plan, and the county will adopt the county plan in total, which will include the municipal plans, rural area plan, and urban area plan.

VI. Who must adopt a multi-jurisdictional plan?

Communities participating in a multi-jurisdictional planning effort that receives a comprehensive planning grant must ultimately adopt a comprehensive plan. However, as shown by the above approaches, the details of adopting a comprehensive plan can vary. For example, using the planning approach described above, a community could:

- adopt a single plan (town and city of Plattville example).
- adopt a number of different plan documents that together equal a comprehensive plan (Lincoln County example).
- adopt an individual comprehensive plan that is developed as part of a single multi-jurisdictional planning effort (Portage County example).

The common theme with all of these acceptable approaches is that a community adopts a plan that contains the required minimum nine elements which they can base decisions on and which is sufficiently specific to the community so as to meet the comprehensive plan requirements in section 66.1001, Wis.Stats. In addition to adopting a plan, communities participating in a multi-jurisdictional planning effort with comprehensive planning grant assistance must also meet other requirements. See the Comprehensive Planning Grant Manual FY 2003 Application Packet, available from OLIS.

VII. What if conflicts arise?

Because of the broad range of subject areas and issues encompassed by a multi-jurisdictional comprehensive plan, there will be many more areas of consensus between communities that

plan together than areas of conflict. Conflicts may in fact arise, but this is ok and even expected. In fact, it's one of the benefits of multi-jurisdictional planning. Involving multiple jurisdictions ensures that issues and existing or potential conflicts will be identified during the planning process as opposed to later on during plan implementation when positions have become more fixed and the range of solutions may be limited. The advantage of working through issues as part of a multi-jurisdictional planning process is that all of the communities affected and empowered to take action can be involved. Also, communities will be working through these issues simultaneously, using the same information and resources, as part of the same planning effort.

"Honest disagreement is often a good sign of progress."

-Mahatma Gandhi

A multi-jurisdictional plan does not need to resolve all of the conflicts between participating communities. However, in their Intergovernmental Cooperation Elements communities will need to identify conflicts and describe how they will be resolved.

For ideas on how to develop the Intergovernmental Cooperation Element, see *Intergovernmental Cooperation: A Guide to Preparing the Intergovernmental Cooperation Element of a Local Comprehensive Plan* (2002), available from OLIS. The Intergovernmental Cooperation Element is an especially important element within a multi-jurisdictional plan because it links and coordinates the various communities, planning documents, goals, objectives, policies, and future actions. However, while it is an especially important element when communities are planning together, the intergovernmental cooperation element is also one that should be easier to develop because jurisdictions are planning together.

TIP

Participating in a multi-jurisdictional planning effort does not mean that your community gives up authority to another jurisdiction. The Comprehensive Planning Law did not alter the legal relationships between cities, villages, counties, towns, regional planning commissions (RPC), and the state. These jurisdictions continue to have the same powers and authority over land use that they had before the law was passed. Therefore, developing a plan does not give your community any more or less authority than you had before. A comprehensive plan must be specifically adopted by a community's governing body in order for it to apply to the community and affect future decisions. This means that communities are in control of their future, including communities participating in multi-jurisdictional planning efforts.

VIII. The importance of 'Planning to Plan'

If your community decides to participate in a multi-jurisdictional planning effort, it is a good idea to discuss up front the major aspects of the plan process – develop a plan for the plan. Who will lead the effort? How will the plan be structured and organized? How will costs be divided? How will information be shared? How will decisions be made? Who will serve on advisory or work committees and what role will these committees play? Will a consultant be hired? Who will manage the consultant? Who will facilitate meetings? Who will write and distribute newsletters? Who will print and distribute plan drafts and final plan documents? To avoid misunderstandings, it is a good idea to document the answers to these detailed questions. This could be done in an intergovernmental agreement, a memorandum of understanding (MOU), or an approved resolution. These kinds of details can also be contained in the written public participation procedures that each community must adopt as part of the planning effort.⁶

TIP

For multi-jurisdictional planning efforts awarded a Comprehensive Planning Grant, an approved resolution to develop and adopt a Comprehensive Plan is required from each participating unit of government. See Adm. 48.04(3).

⁶ Section 66.1001(4)(a), Wis.Stats.